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13 Attorneys for Defendant ARISTA NETWORKS, INC.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 CISCO SYSTEMS, INC.,

18 Plaintiff,

19 v.

20 ARISTA NETWORKS, INC.,

21 Defendant.  
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Case No. 5:14-cv-05344-BLF (NC)

**ARISTA'S AMENDED WITNESS LIST**

Judge: Hon. Beth Labson Freeman

Date Filed: December 5, 2014

Trial Date: November 21, 2016

**WITNESS LIST**

Pursuant to Rule 26(a)(3)(A)(i) of the Federal Rules of Civil Procedure, and Judge Freeman's Jury Pretrial Standing Order, Arista Networks, Inc. ("Arista") hereby discloses the following witnesses for the trial of this matter. These disclosures are made based on information that is reasonably available to Arista at this time and at this stage of the proceedings. Further investigation and analysis may yield additional information. As additional information becomes available, Arista reserves the right to supplement, revise, correct, clarify or otherwise amend these disclosures.

These disclosures are made without waiver of and without prejudice to any objections Arista may have regarding the subject matter of these disclosures or individuals identified herein. Arista reserves all such objections.

**WITNESSES ARISTA EXPECTS TO CALL**

Arista presently expects to present the following witnesses at the trial of this matter, subject to Arista's right to modify this list according to the developments in the case and rulings of the Court. The estimated length of each witness's testimony will depend on the circumstances of the case. Arista reserves the right to modify the estimated lengths as necessary.

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation <sup>1</sup>
1	Andy Bechtolsheim	Founding of Arista; Arista hardware design; fair use; asserted CLI elements; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	.5 hour	Live
2	Jeff Birnbaum	Knowledge relevant to damages. Customer preferences and uses of networking equipment and CLI.	30 minutes	Live or by deposition
3	Dr. John Black	Dr. Black is an expert retained by Arista. He will testify on the matters disclosed in his expert	2.5 hours	Live

<sup>1</sup> For witnesses beyond of Arista's control, Arista may play deposition testimony in lieu of live testimony in the event the witness is unavailable. This list reflects Arista's good faith belief of those witnesses believed to be unavailable.

		reports, including copyright non-infringement; non-copyrightability of asserted elements; fair use; copyright misuse.		
4	John Chambers	Relevant market conditions; Cisco competition with Arista; fair use; copyright misuse; estoppel.  Documents on the exhibit list that were either authored or received by him.	45 minutes	Live and by deposition
5	Mark Chandler	Relevant market conditions; Cisco competition with Arista; fair use; copyright misuse; estoppel.  Documents on the exhibit list that were either authored or received by him.	30 minutes	Live
6	Dr. Jeffrey Chase	Dr. Chase is an expert retained by Arista. He will testify on the matters disclosed in his expert report, including patent non-infringement.	30 minutes	Live
7	Dr. Douglas Clark	Dr. Clark is an expert retained by Arista. He will testify on the matters disclosed in his expert reports, including patent invalidity.	30 minutes	Live
8	Ken Duda	Founding of Arista; development of EOS; accused CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	1.5 hours	Live
9	Cate Elsten	Ms. Elsten is an expert retained by Arista. She will testify on the matters disclosed in her expert reports, including copyright and patent damages and disgorgement.	1 hour	Live
10	Anthony Li	Asserted CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	30 minutes	Live
11	Anshul Sadana	Competition with Cisco; relevant market conditions; asserted CLI elements; damages issues; fair use; estoppel;	1 hour	Live

		copyright misuse.  Documents on the exhibit list that were either authored or received by him.		
12	William Seifert	Mr. Seifert is an expert retained by Arista. He will testify on the matters disclosed in his expert report, including relevant market conditions; asserted CLI elements; fair use; estoppel; copyright misuse.	30 min	Live
13	Adam Sweeney	Development of EOS; accused and asserted CLI elements; fair use; patent non-infringement; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	30 minutes	Live
14	Jayshree Ullal	Competition with Cisco; relevant market conditions; asserted CLI elements; damages issues; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by her.	.75 hour	Live
15	Michael Volpi	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages.	15 minutes	Live

### WITNESSES ARISTA MAY CALL

Arista may call the following witnesses at the trial of this matter, subject to Arista's right to modify this list according to the developments in the case and rulings of the Court. The estimated length of each witness's testimony will depend on the circumstances of the case. Arista reserves the right to modify the estimated lengths as necessary.

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
1	Cisco's Rule 30(b)(6) corporate designees	Cisco's Rule 30(b)(6) corporate designees may be called to testify to the topics testified to in their depositions.	1 hour	Live and/or by deposition
2	Beecher Adams	Topics testified to as Cisco's Rule 30(b)(6) corporate designee; authenticity and/or		Live or by deposition

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
		business records status of documents on exhibit list.		
3	Rhonda Andrew	Publicly-found "Cisco Confidential" documents. Chart re copyright presumptions; certified copies of copyright office records.		Live
4	Prakash Bettadapur	The Patents-in-Suit and issues relating thereto. Topics testified to as Cisco's Rule 30(b)(6) corporate designee; authenticity and/or business records status of documents on exhibit list.		Live or by deposition
5	Johan Bevemyr	Topics testified to as Cisco's Rule 30(b)(6) corporate designee; authenticity and/or business records status of documents on exhibit list.		Live or by deposition
6	Mark Berly	Knowledge relevant to damages; customer preferences and uses of networking equipment and CLI. Competition with Cisco; relevant market conditions.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live
7	Leo Boulton	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
8	Luca Cafiero	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
9	Gavin Cato	Topics testified to as Dell's Rule 30(b)(6) corporate	15 minutes	Live or by deposition

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
		designee; authenticity and/or business records status of documents on exhibit list.		
10	Linda Chao	License agreement executed between Stanford and Cisco in or around 1987, including all amendments thereto; authenticity and/or business records status of documents on exhibit list.		Live
11	Lincoln Dale	Development of EOS; accused and asserted CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
12	Terry Eger	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses. Development of IOS. Cisco's marketing and sales of its products.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
13	Mark Foss	Arista's marketing and sales of its products, and Cisco's marketing and sales of its products.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live
14	Charles Giancarlo	Knowledge relevant to Arista's estoppel, laches, fair use, and misuse defenses.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live
15	Douglas Gourlay	Development, structure, operation, and/or characteristics of Arista's products including its EOS and use of CLI commands. Arista's relationship with customers and potential customers. Cisco's conduct with respect to its CLI.		Live or by deposition

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
		Documents on the exhibit list that were either authored or received by him.		
16	Sean Hafeez	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages. Cisco competition with Arista. Cisco's relationship with customers and potential customers.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
17	John Hartingh	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
18	Dave Heyman	Arista's customer support and documentation.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
19	Hugh Holbrook	Development of EOS; accused CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live
20	Martin Hull	Development of EOS; accused CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.		Live
21	Soni Jiandani	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages; relevant market conditions; Cisco	45 minutes	Live or by deposition

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
		competition with Arista.  Documents on the exhibit list that were either authored or received by her.		
22	Philip Kasten	Topics testified to as Juniper's Rule 30(b)(6) corporate designee; authenticity and/or business records status of documents on exhibit list.	15 minutes	Live or by deposition
23	Pradeep Kathail	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages; Cisco's Tail-f products.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
24	Ram Kavasseri	Asserted CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
25	Tong Liu	Asserted CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
26	Kirk Lougheed	Asserted CLI elements; fair use; estoppel; copyright misuse; Cisco's dispute with Stanford.  Documents on the exhibit list that were either authored or received by him.	1 hour	Live or by deposition
27	Deepak Malik	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages; Cisco competition with Arista.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition



No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
28	Kevin McCabe	Knowledge relevant to Arista's estoppel, fair use and misuse defenses and damages. Arista's marketing and sales of its products, and Cisco's marketing and sales of its products.  Documents on the exhibit list that were either authored or received by him.		Live
29	Carl Moberg	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages; Cisco's Tail-f products.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
30	Paul Mustoe	The Patents-in-Suit and issues relating thereto. Topics testified to as Cisco's Rule 30(b)(6) corporate designee; authenticity and/or business records status of documents on exhibit list.		Live or by deposition
31	Cesar Obediente	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages; Cisco competition with Arista.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
32	Devadas Patil	Asserted CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
33	Andre Pech	Development, structure, operation, and/or characteristics of Arista's products, including its Extensible Operating System and use of CLI commands.  Documents on the exhibit list		Live or by deposition

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
		that were either authored or received by him.		
34	Andrew Pletcher	Knowledge relevant to Arista's estoppel, laches, fair use and misuse defenses and damages; Cisco competition with Arista.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
35	Ariff Premji	Knowledge relevant to damages; customer preferences and uses of networking equipment and CLI.  Documents on the exhibit list that were either authored or received by him.	30 minutes	Live
36	Philip Remaker	Development of Cisco CLI. Also knowledgeable about Arista's fair use and misuse defenses.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
37	Abhay Roy	Asserted CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
38	Greg Satz	Asserted CLI elements; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
39	Philip Shafer	Topics testified to as Juniper's Rule 30(b)(6) corporate designee.  Documents on the exhibit list that were either authored or received by Juniper.		Live or by deposition
40	Terry Slattery	Asserted CLI elements; fair use; estoppel; copyright	15 minutes	Live or by deposition

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
		misuse.  Documents on the exhibit list that were either authored or received by him.		
41	Mark Smith	Relevant market conditions; asserted CLI elements; damages issues, including information concerning Arista's customers; fair use; estoppel; copyright misuse.  Documents on the exhibit list that were either authored or received by him.		Live
42	David Sollender	Arista's documentation.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live or by deposition
43	Chris Summers	Knowledge relevant to damages; customer preferences and uses of networking equipment and CLI.  Documents on the exhibit list that were either authored or received by him.	15 minutes	Live
44	Jung Tjong	The Patents-in-Suit and issues relating thereto.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
45	Balaji Venkatraman	Hewlett-Packard's Rule 30(b)(6) corporate designee may be called to testify to the topics testified to in their depositions.	15 minutes	Live or by deposition
46	Jeffrey Wheeler	The Patents-in-Suit and issues relating thereto.  Documents on the exhibit list that were either authored or received by him.		Live or by deposition
47	Chris Wilson	Knowledge relevant to damages. Customer preferences and uses of		Live

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
		networking equipment and CLI.		
		Documents on the exhibit list that were either authored or received by him.		
48	Document custodian(s) from Avaya, Inc.	Avaya's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
49	Document custodian(s) from Brocade Communications Systems, Inc.	Brocade's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
50	Document custodian(s) from Cisco	Cisco's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
51	Document custodian(s) from Dell Inc.	Dell's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live or by deposition
52	Document custodian(s) from D-Link	D-Link's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
53	Document custodian(s) from Edgecore USA Corporation	Edgecore's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
54	Document custodian(s) from Extreme USA Corporation	Extreme's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
55	Document custodian(s) from Hewlett-Packard Enterprise	Hewlett-Packard's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live or by deposition
56	Document custodian(s) from	Juniper's custodian of records may be called to		Live or by deposition

No.	Witness	Substance of Trial Testimony	Estimated Length	Manner of Presentation
	Juniper Networks, Inc.	testify as to the authenticity and/or business records status of documents on exhibit list.		
57	Document custodian(s) from Lenovo	Lenovo's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
58	Document custodian(s) from Nortel	Nortel's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live
59	Document custodian(s) from Stanford	Stanford's custodian of records may be called to testify as to the authenticity and/or business records status of documents on exhibit list.		Live

In addition to the witnesses identified above, Arista reserves the right to call any witness identified on Cisco's witness list. Arista will counter-designate testimony of various witnesses designated by Cisco pursuant to Judge Freeman's Jury Pretrial Standing Order. Should Cisco introduce any deposition testimony it has designated for witnesses not at trial, Arista reserves the right, in rebuttal, to introduce the testimony it has counter-designated.

Dated: September 21, 2016

KEKER & VAN NEST LLP

By: /s/ Robert A. Van Nest  
ROBERT A. VAN NEST

Attorneys for Defendant  
ARISTA NETWORKS, INC.